

FILED  
4/21/23 11:45 am  
CLERK  
U.S. BANKRUPTCY  
COURT - WDPA

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE:  
Kenny J. Dingler ) Case No. 19-20053 GLT  
Debtor )  
 ) Chapter 13  
Kenny J. Dingler )  
Movant ) Related to Doc. No. 89  
 )  
vs. )  
US Bank Trust National Association as )  
Trustee of CVI LCF Mortgage Loan )  
Trust 1; c/o New Rez LLC dba )  
Shellpoint Mortgage Servicing, and )  
Ronda Winnecour, Esquire, Chapter 13 )  
Trustee,  
Respondents

**INTERIM NON-LMP MORTGAGE MODIFICATION ORDER**

On March 21, 2023 the above named Debtor(s) and Respondent US Bank Trust National Association as Trustee of CVI LCF Mortgage Loan Trust 1; c/o New Rez LLC dba Shellpoint Mortgage Servicing (“Creditor”) entered into a trial non-LMP modification (the “Trial Modification”), [but not through the Court’s *Loss Mitigation Program* (LMP)], with respect to the First mortgage on the Debtor’s residence. The terms of the Trial Modification require monthly payments in the amount of \$1,050.25 (“Trial Payments”) to begin on **April 1, 2023** and to continue in that amount until **June 1, 2023** (the “Trial Modification Period”). In light of the need for an immediate change in the distribution to the Creditor, the Debtor(s) request the Court to enter this *Interim Non-LMP Mortgage Modification Order* until a final, permanent modification can be presented to the Court for approval.

***AND NOW***, this 21st day of April, 2023, for the foregoing reasons it is hereby ***ORDERED, ADJUDGED and DECREED*** that:

(1) The Chapter 13 Trustee is authorized and directed to modify the distributions to the above-named Creditor for the Trial Modification Period. Each Trial Payment shall be made in the

Amount of \$1,050.25 for the following months: April, May, and June, 2023. Following the Trial Modification Period, the Chapter 13 Trustee shall continue to make distributions in the same amount as the Trial Payments until further Order of Court.

(2) In the event that a Permanent Modification is reached between the Parties, the Debtor *immediately* shall file a *Motion to Authorize the Non-LMP Loan Modification* in compliance with *W.P.A.LBR 9020-6(d)*.

(3) The LMP Period (if applicable) is extended until fourteen (14) days after the expiration of the Trial Modification Period. If the Debtor has not filed a *Motion to Authorize the Non-LMP Loan Modification* within fourteen (14) days after the expiration of the Trial Modification Period, then the Debtor shall *immediately* file and serve either a *Motion to Extend the Loss Modification Period* pursuant to *W.P.A.LBR 9020-5(b)* (if applicable) or a *Motion to Terminate the Loss Modification Program, if applicable*, pursuant to *W.P.A.LBR 9020-5(c)* that sets forth the specific reasons why an agreement was not reached.

(4) Any Party may seek a further hearing regarding the amendment or termination of this *Order* at any time during the Non-LMP Trial Modification Period by filing an appropriate Motion.

(5) Within three (3) days of entry of this *Order*, Debtor shall serve this *Order* electronically on the Chapter 13 Trustee at the following email address: [LMP@chapter13trusteedpa.com](mailto:LMP@chapter13trusteedpa.com) and Debtor shall not be entitled to rely on CM/ECF or United States Mail for service of this *Order* on the Chapter 13 Trustee. The Debtor(s) Certificate of Service shall reflect service upon the above identified email address.

Prepared by: Mary Bower Sheats, Esq.

#### DEFAULT ENTRY

Dated: April 21, 2023

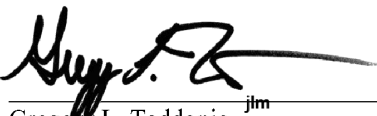
Case administrator to serve:

Debtor(s)

Counsel for Debtor(s)

[Counsel for Creditor]

Ronda J. Winnecour, Esq. Ch 13 Trustee



\_\_\_\_\_  
jlm  
Gregory L. Taddonio  
Chief United States Bankruptcy Judge

In re:  
Kenny J. Dingler  
Debtor

Case No. 19-20053-GLT  
Chapter 13

## CERTIFICATE OF NOTICE

District/off: 0315-2  
Date Rcvd: Apr 21, 2023

User: auto  
Form ID: pdf900

Page 1 of 2  
Total Noticed: 2

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Apr 23, 2023:

Recip ID	Recipient Name and Address
db	+ Kenny J. Dingler, 510 Independence Street, Perryopolis, PA 15473-9304

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
15376455	+ Email/Text: mtgbk@shellpointmtg.com	Apr 21 2023 23:15:00	NewRez LLC d/b/a Shellpoint Mortgage Servicing, P.O. Box 10826, Greenville, SC 29603-0826

TOTAL: 1

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

## NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Apr 23, 2023                      Signature: /s/Gustava Winters

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## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on April 21, 2023 at the address(es) listed below:

Name	Email Address
Brian Nicholas	on behalf of Creditor Bayview Loan Servicing LLC, a Delaware Limited Liability Company bnicholas@kmlawgroup.com
Charles Griffin Wohlrab	on behalf of Creditor U.S. Bank Trust National Association as Trustee of CVI LCF Mortgage Loan Trust I cwohlrab@raslg.com
Lisa Cancanon	on behalf of Creditor Bayview Loan Servicing LLC, a Delaware Limited Liability Company lisac@w-legal.com, Llombardi06@law.du.edu

District/off: 0315-2

User: auto

Page 2 of 2

Date Rcvd: Apr 21, 2023

Form ID: pdf900

Total Noticed: 2

Mary Bower Sheats

on behalf of Debtor Kenny J. Dingle Mary@mbsheatslaw.com  
mbsheats@gmail.com;Sheats@GubinskyLaw.com;G19303@notify.cincompass.com

Office of the United States Trustee

ustregion03.pi.ecf@usdoj.gov

Ronda J. Winnecour

cmecf@chapter13trusteedpa.com

TOTAL: 6